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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

CORSAGE COLLECTION, INC.,

Plaintiff,

v.

GN DIAMOND, LLC d/b/a ALITO
COLLECTIONS, SKR DIAMONDS, LTD.,
EITHAN RAVIV and MARK FREIDMAN,
ESQ.

Defendants.

Civil Action No.

06 0382

COMPLAINT AND JURY DEMAND

FILED

JAN 27 2006

Plaintiff CORSAGE COLLECTION, INC. (hereinafter referred to as either "Corsage" or "Plaintiff"), through its undersigned attorneys, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, hereby complains of defendants GN DIAMOND, LLC d/b/a ALITO COLLECTIONS ("GN"), SKR DIAMONDS, LTD. ("SKR"), EITHAN RAVIV ("Raviv") and MARK FREIDMAN, ESQ. ("Freidman"), as follows:

Jurisdictional Statement

1. This is a civil action for: (1) declaratory judgment of non-infringement of a United States Letters Patent; (2) declaratory judgment of invalidity of a United States Letters Patent; (3) declaratory judgment of unenforceability of a United States Letters Patent; (4) unfair competition in violation of the Lanham Act, 15 U.S.C. § 1051 *et seq.*, (5) tortious interference with contractual relations under the laws of the state of New York; and (6) tortious interference with prospective economic advantage, under the laws of the state of New York. Upon information and belief, the Plaintiff is a citizen of a different state from all defendants and the amount in controversy exceeds \$75,000.00. This Court has subject matter jurisdiction over the first three causes of action pursuant to 28 U.S.C. §§ 1330, 1338 and 2201. This Court has

subject matter jurisdiction over the fourth cause of action pursuant to 28 U.S.C. §§ 1330 and 1338. This Court has subject matter jurisdiction over the fifth and sixth causes of action under theories of supplemental jurisdiction pursuant to 28 U.S.C. § 1367, as well as an independent basis for diversity jurisdiction pursuant to 28 U.S.C. § 1331.

PARTIES AND VENUE

2. Corsage is a corporation organized and existing under the laws of the State of New York, with a principle place of business in New York.

3. Upon information and belief, GN is a corporation organized and existing under the laws of the state of Pennsylvania, with a principle place of business at 800 Chestnut Street, Suite 206, Philadelphia, Pennsylvania 19107.

4. Upon information and belief, GN transacts substantial business in this judicial district and derives substantial revenues from business in this judicial district.

5. Upon information and belief, the alleged conduct of GN has occurred in various locals, including in this judicial district.

6. Upon information and belief, SKR is a corporation organized and existing under the laws of Israel with a principle place of business at 4 Haracoon Street, Ramat Gan, Israel, 52521.

7. Upon information and belief, SKR transacts substantial business in this judicial district and derives substantial revenues from business in this judicial district.

8. Upon information and belief, the herein alleged conduct of SKR has occurred in various locals, including in this judicial district.

9. Upon information and belief, for all of the allegations herein, the acts and omissions of SKR are the acts and omissions of GN, and vice versa.

10. Upon information and belief, Raviv is an individual who is a citizen of Israel and is currently residing in Florida. Upon information and belief, Raviv transacts substantial business in this judicial district and derives substantial revenues from business in this judicial district. Upon information and belief, Raviv has partaken in conduct outside of this district which has had a substantial effect on Corsage in this judicial district. Upon information and belief, Raviv is hiding his location and identity to avoid citizenship problems. Upon information and belief, in an Israeli action between SKR and an Israeli company called Geraldo Jewelry, Raviv indicated that he could not return to Israel as he would not be allowed to return to the United States.

11. Upon information and belief, Friedman is an individual who is a citizen of Israel and has a principle place of business at 9003 Florin Way, Upper Marlboro, Maryland 20772. Upon information and belief, Friedman transacts substantial business in this judicial district and derives substantial revenues from business in this judicial district. Upon information and belief, Friedman has partaken in conduct outside of this district which has had a substantial effect on Corsage in this judicial district.

12. Venue is proper in this judicial district as it is the location of a substantial part of the events or omissions giving rise to the claim occurred and it is a judicial district in which all defendants may be found.

Allegations Common To All Causes Of Action: The Flower Design

13. Corsage is a relative newcomer to the field of jewelry sales.

14. Despite a modest beginning, through extensive hard work and significant expenditures, Corsage began to develop a market for its products and endow itself with the reputation of a provider of high quality diamond jewelry. Corsage was able to do this by recognizing a need for high quality jewelry at a more reasonable price, Corsage pioneered a radical desired change in the sale of diamond jewelry.

15. Upon information and belief, Ezra Boaron ("Boaron") is an Israeli jewelry designer who is a master jeweler and has many years of experience in the jewelry business.

16. Upon information and belief, in 2000, Boaron created a unique and novel design r setting for diamonds and/or precious stones. This unique design employs seven (7) diamonds or other precious stones in the shape of flower, having a hexagon stone in the middle and surrounded by 6 pentagon shaped stones which are rounded on the outside, which thereby create the appearance of a seamless flower which can appear as one large gem with a perfectly smooth surface (the "Flower Design").

17. The Flower Design is created in a way that each diamond is "locked" into an invisible setting, with no gaps, no glue and no prongs.

18. On or about September 17, 2000, Boaron filed for an Israeli design patent on the Flower Design.

19. On or about June 11, 2002, the Israeli Patent Office issued to Boaron design protection the Flower Design (the "Boaron Design").

20. Boaron assigned his interest in and to the Boaron Design to an Israeli company called Geraldo Jewelry.

21. Geraldo Jewelry manufactures the Flower Design.

22. Each Flower Design produced by Geraldo is manufactured and set by hand.

23. Corsage is the and distributes the Flower Design throughout the United States, including in this judicial district.

24. Corsage promotes various pieces of jewelry that incorporate the Flower Design.

Allegations Common to All Causes Of Action: The Prosecution of the U.S. Patent

25. Upon information and belief, on or about November 16, 2000, Freidman, working on behalf of Raviv, filed an application for a design patent on a jewelry design.

26. On or about July 16, 2002, The United States Patent and Trademark Office (the "PTO") issued U.S. Design Patent No. D. 460,379 (the '379 Patent).

27. Raviv represented to the PTO that he was in the inventor of the '379 Patent.

28. Raviv has sworn under penalty of perjury that he is not the inventor of the '379 Patent.

29. Upon information and belief, Raviv represented to the PTO that he was the inventor of the '379 Patent in order to induce the PTO to issue the '379 Patent in his name.

30. Upon information and belief, Raviv is not a jewelry designer.

31. Upon information and belief, Raviv misappropriated the jewelry design in the '379 Patent from Boaron.

32. Upon information and belief, at some point prior to June 2002, Boaron became aware that SKR and/or its predecessor in interest, was infringing the Boaron Design in Israel.

33. Upon information and belief, in late May or early June of 2002, Boaron was referred to Freidman as an attorney that could handle Boaron's interests.

34. Upon information and belief, Boaron met Freidman on or about June 5, 2002, at which time Boaron showed Freidman the Boaron Design. Upon information and belief, Freidman indicated that he thought the Boaron Design was a beautiful and novel design, and that he would be happy to represent Boaron.

35. Upon information and belief, Freidman did not tell Boaron that he represented Raviv.

36. Upon information and belief, Freidman did not tell Boaron that he believed that the Boaron Design and the '379 Patent covered similar subject matter.

37. Upon information and belief, an attorney working with Freidman prepared for Boaron a cease and desist letter that was sent to SKR.

38. Upon information and belief, after SKR received the cease and desist letter, Raviv contacted Boaron. Upon information and belief, this is the first time that Boaron and Raviv ever spoke to each other and/or had dealings with each other.

39. Until the issuance of the '379 Patent, Freidman and Raviv had an absolute obligation to provide the PTO with any and all relevant, non-cumulative prior art.

40. The Boaron Design is relevant, non-cumulative prior art.

41. Despite the fact that the '379 Patent had not yet issued, and despite the fact that he had seen the Boaron Design, Friedman neither informed the PTO about the existence of the Boaron Design nor provided the PTO with a copy of the Boaron Design.

42. Upon information and belief, Raviv did not seek to either provide the PTO with Boaron Design or inform the PTO about the existence of the Boaron Design.

Allegations Common to All Causes Of Action: The Acts of SKR and GN

43. Upon information and belief, SKR has been assigned the '379 Patent by Raviv.

44. Upon information and belief, SKR has entered into an exclusive relationship with GN for exploitation of the '379 Patent.

45. Upon information and belief, SKR has entered into an exclusive relationship with GN whereby GN is SKR's exclusive distributor in the United States.

46. Upon information and belief, SKR and GN are distributing in the United States jewelry that contains the Flower Design.

47. Upon information and belief, the jewelry containing the Flower Design that is distributed by SKR and GN is inferior in both quality and workmanship to the jewelry distributed by Corsage. Nonetheless, SKR and GN sell jewelry at a higher relative price than Corsage.

48. Upon information and belief, SKR and GN have represented to the public that the '379 Patent covers the method for creating the Flower Design.

49. Upon information and belief, SKR and GN have represented to the public that the Flower Design can not be manufactured without infringing the '379 Patent.

50. Upon information and belief, SKR and GN have written letters to Corsage's customers indicating that the exploitation of jewelry containing the Flower Design infringes the '379 Patent.

51. Upon information and belief, Corsage's customers have been threatened by SKR and GN that, unless they cease distribution of jewelry containing the Flower Design, they will be sued for patent infringement.

52. Upon information and belief, GN and SKR jointly engaged the law firm Solomon, Sherman & Gabay, located at 1628 JFK Boulevard, Philadelphia, Pennsylvania, to assist GN and SKR in threatening Corsage and Corsage's customers.

53. Upon information and belief, GN and SKR jointly engaged the law firm Durant & Durant, located at Constitution Place, 325 Chestnut Street, Suite 1116, Philadelphia, Pennsylvania, to assist GN and SKR in threatening Corsage's and its customers.

54. Upon information and belief, as a result of the acts of GN and SKR, as well as their agents in Philadelphia, certain of Corsage's customers have ceased distributing jewelry containing the Flower Design.

55. Upon information and belief, as a result of the acts of GN and SKR, certain of Corsage's customers who have ceased distributing jewelry containing the Flower Design have demanded that Corsage take back all items of jewelry containing the Flower Design.

56. Upon information and belief, GN and SKR have engaged in the foregoing conduct in order to disrupt Corsage's business.

57. Upon information and belief, GN and SKR have engaged in the foregoing conduct in order to obtain an unfair business advantage.

58. There currently is an action in Israel between SKR and Geraldo regarding the Israeli infringement of the Boaron Design (the "Israeli Action").

59. Upon information and belief, as a result of the Israeli Action, GN and SKR are aware that Raviv's testimony that he is not the inventor of the '379 Patent. Upon information and belief, neither SKR nor GN have advised the United States Patent and Trademark Office (the "PTO") regarding this testimony.

60. Upon information and belief, as a result of the Israeli Action, GN and SKR are aware that Raviv is not the inventor of the '379 Patent. Upon information and belief, neither SKR nor GN have advised the PTO of the fact that Raviv is not the inventor of the '379 Patent.

61. Upon information and belief, as a result of the Israeli Action, GN and SKR are aware that the Boaron Design is relevant prior art to the '379 Patent that was intentionally withheld from the PTO by Raviv and/or Freidman.

AS AND FOR A FIRST CAUSE OF ACTION

(Declaratory Judgment of Non-Infringement)

62. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

63. This cause of action arises under the under 28 U.S.C. § 2201 and the Patent Act, 35 U.S.C. § 101 *et seq.*

64. Subject matter jurisdiction for this counterclaim is based on 28 U.S.C. §§ 1331, 1338, 2201 and 2202.

65. Upon information and belief, GN and SKR are the owners of all right, title and interest in and to United States Letters Patent No. D460,379.

66. For several months GN and SKR have charged Corsage and its clients with infringing the '379 patent.

67. Corsage asserts that using and/or causing to be used, selling and/or causing to be sold and/or offering to sale its products do not infringe the '379 patent and that it and its customers have the unfettered right, free from charges of infringement by GN and SKR of the '379 patent, to use and/or cause to be used, sell and/or cause to be sold and offer for sale Corsage's accused products.

68. By reason of the charges of patent infringement, denial of those charges as set forth herein, a controversy that is justiciable in nature exists between Corsage on one hand, and

SKR and GN on the other hand with respect to the assertion of infringement of the '379 patent by SKR and GN.

69. Corsage has no adequate remedy at law.

AS AND FOR A SECOND CAUSE OF ACTION

(Declaratory Judgment of Non-Infringement)

70. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

71. This cause of action arises under the under 28 U.S.C. § 2201 and the Patent Act, 35 U.S.C. § 101 *et seq.*

72. Subject matter jurisdiction for this counterclaim is based on 28 U.S.C. §§ 1331, 1338, 2201 and 2202.

73. Upon information and belief, GN and SKR are the owners of all right, title and interest in and to United States Letters Patent No. D460,379.

74. For several months GN and SKR have charged Corsage and its clients with infringing the '379 patent.

75. Corsage asserts that the '379 patent is invalid under one or more of 35 U.S.C. § 101, 35 U.S.C. § 102, 35 U.S.C. § 103 and/or 35 U.S.C. § 112.

76. By reason of the charges of patent infringement by SKR and GN, a controversy that is justiciable in nature exists between Corsage on one hand, and SKR and GN on the other hand with respect to the assertion of infringement of the '379 patent by SKR and GN, rendering the determination of the validity of the '379 Patent also justiciable.

77. Corsage has no adequate remedy at law.

AS AND FOR A THIRD CAUSE OF ACTION

(Declaratory Judgment of Unenforceability)

78. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

79. This cause of action arises under the under 28 U.S.C. § 2201 and the Patent Act, 35 U.S.C. § 101 *et seq.*

80. Subject matter jurisdiction for this counterclaim is based on 28 U.S.C. §§ 1331, 1338, 2201 and 2202.

81. Upon information and belief, inequitable conduct occurred during the prosecution of the application that became the '379 Patent.

82. Upon information and belief, the first such act of inequitable conduct occurred when Mr. Raviv listed himself as the inventor of the '379 Patent.

83. Mr. Raviv submitted an affidavit in the Israeli Action stating that he was not the inventor of the '379 Patent.

84. Mr. Raviv refused to attend the hearing in Israel, despite the fact that he is an Israeli citizen.

85. Mr. Raviv is the only named inventor of the '379 Patent.

86. In view of the fact that Mr. Raviv could not have applied for the '379 Patent unless he was the inventor, upon information and belief, there is a strong inference of intent to deceive the PTO.

87. Upon information and belief, prior to the issuance of the '379 Patent, Raviv and Freidman were both aware of the Boaron Design.

88. Upon information and belief, prior to the issuance of the '379 Patent, Raviv and Freidman both had seen the Boaron Design.

89. Upon information and belief, based upon the products that SKR and GN now allege are made pursuant to the '379 Patent, Freidman and other attorneys associated with him indicated to Boaron that such products infringe the Boaron Design.

90. Upon information and belief, Friedman and Raviv intentionally withheld the Boaron Design from the PTO.

91. Upon information and belief, Freidman intentionally withheld from Boaron that he also represented Raviv for the application of the '379 Patent.

92. The Boaron Design would have been material to the examination of the application that became the '379 Patent. However, the Boaron Design was not cited to the PTO during the prosecution of the application that became the '379 Patent.

93. Despite all of the foregoing, there has never been an attempt to change the inventorship of the '379 Patent. Upon information and belief, this failure is the result of the knowledge that any change to inventorship would be required to be accompanied by a statement that the '379 Patent is the subject of a litigation and the hope that the PTO will not review the Boaron Design.

94. Upon information and belief, after representing both Boaron and Raviv, Freidman informed Boaron that the three of them should meet to "make things right". Upon information and belief, Freidman and Raviv wanted to secure such a meeting in order to uphold the validity of the '379 Patent.

95. In view of the materiality of the non-cited prior art, with or without the existence of the attendant circumstances, upon information and belief, there is a strong inference of intent to deceive the Patent Office.

AS AND FOR A FOURTH CAUSE OF ACTION

(Unfair Competition under the Lanham Act)

96. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

97. This cause of action arises under 15 U.S.C. § 1125.

98. Subject matter jurisdiction for this claim exists under 28 U.S.C. §§ 1331, 1338.

99. Upon information and belief, GN and SKR have accused Corsage's products of infringing the '379 patent.

100. Upon information and belief, GN and SKR have made representations to Corsage's customers that Corsage's products infringe the '379 Patent.

101. Upon information and belief, GN and SKR have made representations to the general public that Corsage's products infringe the '379 patent.

102. Upon information and belief, GN and SKR have made representations to the relevant purchasing public that Corsage's products infringe the '379 patent.

103. Upon information and belief, GN and SKR have made representations to the relevant purchasing public that Corsage and/or its customers would be enjoined from selling and/or servicing Corsage's products.

104. Upon information and belief, the foregoing representations are false and/or misleading representations of fact and/or descriptions of fact.

105. Upon information and belief, the foregoing representations have been made in commercial advertising and/or promotion.

106. Upon information and belief, the foregoing representations misrepresent the nature, characteristics, and qualities, of Corsage's goods and commercial activities.

107. Upon information and belief, the foregoing representations have occurred in interstate commerce.

108. Upon information and belief, the foregoing representations were made in commercial advertising or promotion.

109. Upon information and belief, the representations by GN and SKR have caused damage to Corsage's reputation.

110. Upon information and belief, the representations by GN and SKR have caused damage to Corsage's business and ability to sell products.

111. Upon information and belief, the '379 patent is invalid and/or unenforceable and/or not infringed.

112. Upon information and belief, GN and SKR did not have a good faith basis for making the foregoing representations.

113. Upon information and belief, each such act by SKR and GN has been willful.

114. Upon information and belief, Corsage has been harmed by the acts of unfair competition by SKR and GN.

115. Upon information and belief, SKR and GN will continue to engage in unfair competition unless enjoined by this Court.

116. Upon information and belief, Corsage will continue to be harmed by the conduct of SKR and GN unless there is Court intervention.

AS AND FOR A FIFTH CAUSE OF ACTION

(Tortious Interference with Contractual Relations)

117. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

118. This cause of action arises under the laws of the state of New York.

119. Subject matter jurisdiction for this action exists pursuant to 28 U.S.C. § 1367.

120. Corsage has contractual relationships with its customers whereby it provides its customers with jewelry, and its customers pay for such jewelry.

121. SKR and GN are aware of these contracts.

122. Upon information and belief, solely as a result of the aforementioned actions of SKR and GN, Corsage's customers have breached those contracts.

123. Corsage has been damaged as a result of the foregoing breaches.

124. Upon information and belief, but for the actions of SKR and GN, Corsage's customers would not have breached their contracts.

125. Upon information and belief, SKR and GN will continue to engage in the complained of conduct unless enjoined by this Court.

126. Upon information and belief, Corsage will continue to be harmed by the conduct of SKR and GN unless there is Court intervention.

AS AND FOR A SIXTH CAUSE OF ACTION

(Tortious Interference with Prospective Economic Relations)

127. To the extent applicable, Corsage realleges and incorporates by reference each of the allegations of the foregoing paragraphs as if fully set forth herein.

128. This cause of action arises under the laws of the state of New York.

129. Subject matter jurisdiction for this action exists pursuant to 28 U.S.C. § 1367.

130. Upon information and belief, GN and SKR have made representations to Corsage's potential customers about the scope of the '379 Patent.

131. Upon information and belief, GN and SKR have made representations to Corsage's potential customers that the '379 Patent covers the Flower Design.

132. Upon information and belief, GN and SKR have made representations to Corsage's potential customers that any exploitation of the Flower Design infringes the '379 Patent.

133. Upon information and belief, GN and SKR have made representations to the relevant purchasing public about the scope of the '379 Patent.

134. Upon information and belief, GN and SKR have made representations to the relevant purchasing public that the '379 Patent covers the Flower Design.

135. Upon information and belief, GN and SKR have made representations to the relevant purchasing public that any exploitation of the Flower Design infringes the '379 Patent.

136. Corsage had a reasonable expectancy that it would derive substantial income from the sale of products to the potential customers and relevant purchasing public to whom SKR and GN have made the foregoing statements.

137. Upon information and belief, GN and SKR maliciously made material misrepresentations regarding the scope of their patent rights, and those misrepresentations directly caused Corsage's failure to sell its products.

138. Upon information and belief, GN and SKR maliciously made material misrepresentations regarding Corsage and/or Corsage's products, and those misrepresentations directly caused Corsage's failure to sell its products.

139. Upon information and belief, the foregoing misrepresentations were not made in good faith but were made maliciously.

140. Upon information and belief, the misrepresentations were made for the sole purpose of causing harm to Corsage and were done with malicious intent.

141. Upon information and belief, but for the foregoing misrepresentations to Corsage's potential customers, Corsage would have consummated the sales of its products to those customers.

142. Upon information and belief Corsage has been harmed by the foregoing malicious acts of tortious interference with prospective economic advantage, to the extent that Corsage has lost the sales of its products to potential customers.

143. Upon information and belief, SKR and GN will continue to engage in the complained of conduct unless enjoined by this Court.

144. Upon information and belief, Corsage will continue to be harmed by the conduct of SKR and GN unless there is Court intervention.

PRAYER FOR RELIEF

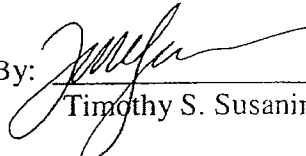
WHEREFORE, Corsage prays for relief on and respectfully request that the Court:

- A. Declare that the '379 Patent is invalid, void, not infringed and unenforceable.
- B. Enjoin SKR and GN and their respective officers, agents, servants, employees, attorneys, successors and assignees and all persons in active concert or participation with either, or any of them, from making any statements and/or charges to third parties that the using or causing to be used, selling and/or causing to be sold and offering for sale of jewelry incorporating the Flower Design used, sold or offered for sale by Corsage, are an infringement of the '379 Patent.
- C. Enjoin SKR and GN and their respective officers, agents, servants, employees, attorneys, successors and assignees and all persons in active concert or participation with either, or any of them, from making any statements and/or charges to third parties that any of Corsage's products infringe the '379 Patent.
- D. Declare this case to be exceptional under 35 U.S.C. § 285.
- E. Award Corsage a full recovery for GN and SKR's acts of unfair competition and tortious interference.
- F. Award Corsage its costs associated with this action, including an award of reasonable attorney's fees for this action.

G. Award Corsage any further relief as justice may require, or as this Court deems necessary.

Dated: January 27, 2006
Philadelphia, PA

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GRIFFINGER & VECCHIONE, P.C.**
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By: 
Timothy S. Susanin (TS-1577)
*Attorneys for Plaintiff,
Corsage Collection, Inc.*

Of Counsel:

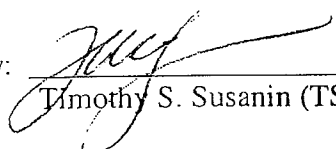
David E. De Lorenzi
Oren J. Warshavsky
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DEMAND FOR A JURY TRIAL

Plaintiff CORSAGE COLLECTION, INC. hereby demands a trial by jury on all issues so triable.

Dated: January 27, 2006
Philadelphia, PA
Dated: January 27, 2006
Philadelphia, PA

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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Plaintiff,

v.

GN DIAMOND, LLC d/b/a ALITO
COLLECTIONS, SKR DIAMONDS, LTD.,
EITHAN RAVIV and MARK FREIDMAN,
ESQ.

Defendants.

Civil Action No.

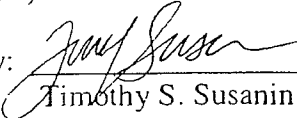
RULE 7.1 DISCLOSURE STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, counsel for Plaintiff,

CORSAGE COLLECTION, INC. (a non-governmental corporate party), hereby certifies that there are no parent corporations, affiliates and/or subsidiaries of plaintiff, nor any publicly held corporation that owns ten percent (10%) or more of the stock of plaintiff.

Dated: January 27, 2006
Philadelphia, PA

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By: 
Timothy S. Susanin (TS-1577)

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Corsage Collection, Inc.*

Of Counsel:

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APPENDIX I

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

CIVIL ACTION

CORSAGE COLLECTION, INC.

GN DIAMOND, LLC d/b/a ALITO
COLLECTIONS, SKR DIAMONDS, LTD.,
EITHAN RAVIV and MARK FRIEDMAN, ESQ.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ~~XXXX~~

<u>January 27, 2006</u>	<u>Timothy S. Susanin</u>	<u>Plaintiff, Corsage Collection, Inc.</u>
Date	Attorney-at-law	Attorney for
<u>215-665-0400</u>	<u>215-446-6322</u>	<u>tsusanin@gibbonslaw.com</u>
Telephone	FAX Number	E-Mail Address

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. PLAINTIFFS CORSAGE COLLECTION, INC. (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES)		DEFENDANTS GN DIAMOND, LLC d/b/a ALITO COLLECTIONS, SKR DIAMONDS, LTD., EITHAN RAVIV and MARK FRIEDMAN, ESQ. COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT PHILADELPHIA (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED	
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Timothy S. Susanin, Esq. Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C. 1700 Two Logan Square 18th and Arch Streets Philadelphia PA 19103-2769 (215) 665-0400		ATTORNEYS (IF KNOWN)	

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)		III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only)	
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3
		Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
		Incorporated or Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. ORIGIN (PLACE AN X IN ONE BOX ONLY)							
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment	

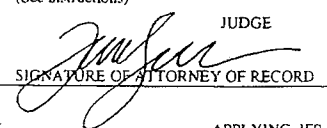
V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)					
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment and Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product <input type="checkbox"/> 320 Assault, Slander, & Libel Liability <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations Welfare <input type="checkbox"/> 444 Other Civil Rights <input type="checkbox"/> 440 Other Civil Rights	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Other	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DJWW (405(g)) <input type="checkbox"/> 864 SSIM Title (XVI) <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Declaratory judgment of non-infringement of a U.S. Letters Patent; declaratory judgment of invalidity of a US Letters Patent; unfair competition in violation of the Lanham Act, 15 USC 1051 et seq.; and tortious interference.

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION <input type="checkbox"/> UNDER F.R.C.P. 23 (See instructions)	DEMAND \$ Exceeds \$75,000.00	Check YES only if demanded in complaint JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
VIII. RELATED CASE(S) IF ANY NONE	JUDGE	DOCKET NUMBER	
DATE: January 27, 2006 For Office Use Only			
 SIGNATURE OF ATTORNEY OF RECORD			

ECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE